REMARKS

Claims 1-16 are pending in the application.

Claim 1 has been amended herein to overcome the Examiner's objections thereto.

Claims 1-3, 7-16 are rejected under 35 U.S.C.§102 as being anticipated by Sudo (6,510,155). Claims 4-6 are rejected under 35 U.S.C.§103 as being unpatentable over Sudo.

Sudo teaches an ATM layer device controlling method and device which perform selection one from a plurality of physical layer devices which execute the function of a physical layer to execute transfer of a cell (a unit of transmission) between the ATM layer device and the selected physical layer device. The physical layer device which should execute the cell transfer is selected in a predetermined order according to priority information.

In the Office Action it is argued that independent claim 1 equates to physical layer devices of Sudo and particularly with applicants communication processing units, now communication processing cards. The Examiner further states that the ATM layer device 1 and host controller 3, polling physical layer address output circuit 13, selecting physical layer address output circuit 12 of Sudo are, respectively, equivalents of the applicant's control unit, polling unit and allowing unit.

The Examiner further contends that Sudo also teaches that each of the plurality of communication units (physical layer devices as asserted by the Examiner) comprises a responding unit which returns to the control unit a response to polling by the polling unit when each of the plurality of communication processing units has data to be output and is polled by the polling unit, and an outputting unit which performs the operation of outputting data which is allowed by the allowing unit.

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However the Office Action did not provide any specific reference in the Sudo disclosure that shows the claimed responding unit which returns a response to polling by the polling unit when each communication processing unit has data to be output and is polled by the polling unit. In fact, Sudo fails to show or suggest the claimed allowing unit which allows an operation of outputting data from one of the plurality of communication processing cards when said control unit receives a response from said one of the plurality of communication processing cards and each of the plurality of communication processing cards comprises a responding unit which returns to the control unit a response to polling by the polling unit when the each of said plurality of communication processing cards has data to be output, and is polled by the polling unit, and an output unit which performs the operation of outputting data which is allowed by the allowing unit.

Contrary to the present claimed invention, in the Sudo ATM layer device the polling physical layer address circuit outputs in the predetermined order, the address of the physical layer device which should execute the cell transfer selected according to the priority order and neither a responding unit nor an outputting unit as claimed are provided each of communication processing cards.

Also the rejection of claims 4-6 did not provide any specific references in Sudo to show the features of claims 4-6. In fact the Examiner admitted that such limitations are not shown by Sudo.

Claims 2-16 are dependent upon claim 1 as amended and therefore include at least all the limitations thereof.

Accordingly, it is believed that claims 1-16 pending in the application are allowable over the prior art.

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In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

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